



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	HB0250	Title:	State payment of cost of child abuse and neglect cases
Primary Sponsor:	Stoker, Ron	Status:	As Introduced

- | | | |
|---|---|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input checked="" type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$1,733,235	\$1,662,464	\$1,704,026	\$1,746,627
Federal Special Revenue	\$577,745	\$554,155	\$568,009	\$582,209
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Federal Special Revenue	\$577,745	\$554,155	\$568,009	\$582,209
Net Impact-General Fund Balance	<u>(\$1,733,235)</u>	<u>(\$1,662,464)</u>	<u>(\$1,704,026)</u>	<u>(\$1,746,627)</u>

Description of Fiscal Impact:

The impact of moving all costs associated with child abuse and neglect cases to the state would require an additional 30 FTE at the Department of Justice and associated operating and equipment.

FISCAL ANALYSIS

Assumptions:

Department of Justice (DOJ)

1. HB 250 would eliminate county attorneys' responsibility/authority to prosecute cases involving child abuse and neglect. The responsibility of prosecuting such cases would be transferred to the DPHHS.
2. The Montana Department of Public Health and Human Services (DPHHS) will continue its memorandum of agreement with the Department of Justice (DOJ) which establishes coordination for provision of legal services to prosecute child abuse and neglect cases identified by DPHHS. Funding for the program is 75% general fund and 25% federal special revenue, based on the assumption that 25% of the program's

costs will be eligible for reimbursement under Title IV-E of the federal Social Security Act. DOJ assumes that HB 250 would be funded in the same manner as the existing Child Protection Unit.

3. There is no way to accurately estimate the number of child abuse and neglect cases handled throughout the state; however the number is significant. For example, in Yellowstone County alone approximately 900 abuse and neglect petitions were filed in the last year. Currently, such cases are generally prosecuted by the county attorney in the county where the abuse occurred.
4. In order to assume the responsibility of filing and prosecuting abuse and neglect cases the department estimates it would need an additional 25, band 7 attorneys in the Child Protective Services Unit of the Prosecution Services Bureau. Five additional paralegal/support staff would be needed to assist in this work.
5. Twenty-five additional staff attorneys (salary & benefits at \$67,085 each) and five paralegal/support staff (salary & benefits at \$37,936 each) will total \$1,866,805 for FY 2008 and FY 2009 or \$3,733,610 for the biennium.
6. In FY 2008, new employee office packages for 30 employees would total \$41,250 (\$1,375 x 30), computers \$42,000 (\$1,400 x 30), and printers \$11,670 (\$389 x 30).
7. Offices would be established in five cities to provide coverage to all fifty-six counties. These five cities would be Billings, Helena, Great Falls, Kalispell, and Missoula. Rent is estimated at \$22/sq ft with each employee receiving space totaling 300 sq ft. Total rent costs per year would be \$198,000 (30 employees x 300 x \$22).
8. Travel costs would be estimated at \$24,900 per year (30 employees x 10 days/month per @ \$23/day = \$6,900) and (10 nights lodging x 30 employees @ \$60/night = \$18,000).
9. The department estimates the need for two vehicles at each office for a total of 10 vehicles each year. Based on 2009 biennium Motor Pool rates the cost would be \$54,355 in FY 2008 and \$54,914 in FY 2009 for rental of the ten vehicles from the Motor Pool including fuel, insurance, and maintenance.
10. Operating expenses of \$72,000 per year are included for phones, legal fees, maintenance, and office supplies (\$200 per month x 12 months x 30 employees).
11. FY 2008 expenditures would total \$2,310,980 and FY 2009 expenditures would total \$2,216,619. An inflation factor of 2.5% per year was applied to FY 2010 and FY 2011.

Department of Health and Human Services (DPHHS)

12. The DPHHS assumes the Department of Justice will assume all responsibility for legal actions relating to investigating and prosecuting cases involving child abuse or neglect proceedings in the State of Montana.
13. There is no fiscal impact to DPHHS as a result of HB 250.

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<u>Fiscal Impact:</u>				
Department of Justice				
FTE	30.00	30.00	30.00	30.00
<u>Expenditures:</u>				
Personal Services	\$1,866,805	\$1,866,805	\$1,913,475	\$1,961,312
Operating Expenses	<u>\$444,175</u>	<u>\$349,814</u>	<u>\$358,559</u>	<u>\$367,523</u>
TOTAL Expenditures	<u><u>\$2,310,980</u></u>	<u><u>\$2,216,619</u></u>	<u><u>\$2,272,034</u></u>	<u><u>\$2,328,835</u></u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$1,733,235	\$1,662,464	\$1,704,026	\$1,746,627
Federal Special Revenue (03)	<u>\$577,745</u>	<u>\$554,155</u>	<u>\$568,009</u>	<u>\$582,209</u>
TOTAL Funding of Exp.	<u><u>\$2,310,980</u></u>	<u><u>\$2,216,619</u></u>	<u><u>\$2,272,034</u></u>	<u><u>\$2,328,835</u></u>
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	<u>\$577,745</u>	<u>\$554,155</u>	<u>\$568,009</u>	<u>\$582,209</u>
TOTAL Revenues	<u><u>\$577,745</u></u>	<u><u>\$554,155</u></u>	<u><u>\$568,009</u></u>	<u><u>\$582,209</u></u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$1,733,235)	(\$1,662,464)	(\$1,704,026)	(\$1,746,627)
Federal Special Revenue (03)	\$0	\$0	\$0	\$0

Technical Notes:

1. It is difficult to predict actual cost because there is no way to estimate the number of petitions filed in a given year because each county tracks such cases differently.

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date